

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAVID LITMON, JR.,

No. C-10-3894 EMC

Plaintiffs

v.

**ORDER SETTING ASIDE JUDGMENT
AND REOPENING CASE**

EDMUND G. BROWN, Attorney General of
California,

Defendants.

On April 20, 2011, Plaintiff filed his motion to dismiss his appeal with the United States Court of Appeals for the Ninth Circuit. On April 29, 2011, the United States Court of Appeals for the Ninth Circuit granted Plaintiff motion and entered an order dismissing his appeal.

IT IS ORDERED that the Clerk of the Court is hereby directed to set aside the Judgment entered on March 15, 2011 and to reopen this case. Pursuant to this Court's April 15, 2011 order, Plaintiff may file an amended complaint asserting on the Equal Protection claim against Defendant Brown within 30 days of dismissal of the appeal (i.e. on or before May 29, 2011), and Defendant shall respond within 30 days thereafter. A case management conference is set for July 13, 2011 at 2:30 p.m. A joint case management conference statement shall be filed by July 6, 2011.

IT IS SO ORDERED.

Dated: April 29, 2011



EDWARD M. CHEN
United States Magistrate Judge

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAVID LITMON, JR.,
Plaintiffs

No. C-10-3894 EMC

v.

CERTIFICATE OF SERVICE

EDMUND G. BROWN, Attorney General of
California,
Defendants.

I, the undersigned, hereby certify that I am an employee in the U.S. District Court, Northern District of California. On the below date, I served a true and correct copy of the attached, by placing said copy/copies in a postage-paid envelope addressed to the person(s) listed below, by depositing said envelope in the U.S. Mail; or by placing said copy/copies into an inter-office delivery receptacle located in the Office of the Clerk.

DAVID LITMON, JR.
29083 Mission Boulevard, Apt. 207
Hayward, CA 94544

Dated: April 29, 2011

RICHARD W. WIEKING, CLERK

By: _____


Betty Lee
Deputy Clerk